

**FOLEY & LARDNER LLP**  
ONE MARITIME PLAZA, SIXTH FLOOR  
SAN FRANCISCO, CA 94111  
TELEPHONE: 415.434.4484  
FACSIMILE: 415.434.4507

THOMAS F. CARLUCCI, BAR NO. 135767  
tcarlucci@foley.com  
ERIN J. HOLLAND, BAR NO. 233305  
eholland@foley.com

**FOLEY & LARDNER LLP**  
555 SOUTH FLOWER STREET, SUITE 3500  
LOS ANGELES, CA 90071  
TELEPHONE: 213.972.4500  
FACSIMILE: 213.486.0065

**\*ORDER E-FILED 12/12/07\***

PAMELA L. JOHNSTON, BAR NO. 132558  
pjohnston@foley.com

*Attorneys for Non-Party Wendy Howell*

MILES EHRLICH (BAR NO. 237954)  
miles@ramsey-ehrllich.com  
ISMAIL RAMSEY (BAR NO. 189820)  
izzy@ramsey-ehrllich.com

**RAMSEY & EHRLICH LLP**  
803 Hearst Avenue  
Berkeley, CA 94710  
(510) 548-3600 (Tel)  
(510) 291-3060 (Fax)

*Attorneys for Defendant Nancy R. Heinen*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

NANCY R. HEINEN,

Defendant.

Case No.: C-07-2214(JF)

**JOINT STIPULATION REGARDING  
NON-PARTY WENDY HOWELL'S  
MOTION TO QUASH; ~~PROPOSED~~  
ORDER**

Magistrate Judge Howard R. Lloyd

Date: January 15, 2008

Time: 10:00 a.m.

Dept: Courtroom 2, 5th Floor

1 Defendant Nancy Heinen (“Heinen”) and Non-Party Wendy Howell (“Howell”), by and  
2 through their respective counsel of record, **HEREBY STIPULATE AND AGREE** that:

3 1. Ms. Howell’s motion to quash is currently scheduled to be heard on January 15,  
4 2008 at 10:00 a.m. in front of Hon. Howard R. Lloyd.

5 2. Defendant Heinen hereby withdraws all subpoenas issued to Bank of Alameda,  
6 Bank of the West, Washington Mutual, Wells Fargo & Co., Western Sunrise Mortgage, California  
7 State University, Stanford University, and Non-Party Howell’s former employer for records  
8 concerning Non-Party Howell.

9 3. Non-Party Howell hereby withdraws her motion to quash, filed with this Court on  
10 November 2, 2007, subject to Ms. Howell’s right to re-file or re-notice her motion to quash if Ms.  
11 Heinen subpoenas or re-subpoenas any entities regarding Ms. Howell.

12 4. The hearing set for January 15, 2008, at 10:00 a.m., be removed from the Court’s  
13 calendar.

14 5. Non-Party Howell hereby agrees to produce redacted documents from California  
15 State University, Stanford University and Ms. Howell’s former employer, as agreed to by counsel.

16 6. By December 14, 2007, Defendant Heinen and her counsel agree to return to Ms.  
17 Howell’s counsel the originals and all copies thereof of all documents provided by subpoenaed  
18 parties in advance of the subpoena date as discussed between the parties (*e.g.*, the bank records  
19 currently being held by Mr. Ehrlich).

20  
21 DATED: December 10, 2007 FOLEY & LARDNER LLP

22  
23 By: /s/ Pamela L. Johnston  
24 Pamela L. Johnston  
25 Foley & Lardner, LLP  
26 Attorneys for Non-Party Wendy Howell  
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DATED: December 10, 2007      RAMSEY & EHRLICH LLP

By: /s/ Miles Ehrlich  
Miles Ehrlich  
Ismail Ramsey  
Attorneys for Defendant Nancy Heinen

**ORDER**

Pursuant to the foregoing STIPULATION of the parties:

1. Ms. Howell's motion to quash is currently scheduled to be heard on January 15, 2008 at 10:00 a.m. in front of Hon. Howard R. Lloyd.

2. Defendant Heinen hereby withdraws all subpoenas issued to Bank of Alameda, Bank of the West, Washington Mutual, Wells Fargo & Co., Western Sunrise Mortgage, California State University, Stanford University, and Non-Party Howell's former employer for records concerning Non-Party Howell.

3. Non-Party Howell hereby withdraws her motion to quash, filed with this Court on November 2, 2007, subject to Ms. Howell's right to re-file or re-notice her motion to quash if Ms. Heinen subpoenas or re-subpoenas any entities regarding Ms. Howell.

4. The hearing set for January 15, 2008, at 10:00 a.m., be removed from the Court's calendar.

5. Non-Party Howell will produce redacted documents from California State University, Stanford University and Ms. Howell's former employer, as agreed to by counsel.

6. By December 14, 2007, Defendant Heinen and her counsel will return to Ms. Howell's counsel the originals and all copies thereof of all documents provided by subpoenaed parties in advance of the subpoena date as discussed between the parties (*e.g.*, the bank records currently being held by Mr. Ehrlich).

DATED: December 12, 2007

By: 

Hon. Howard R. Lloyd  
Magistrate Judge, United States District Court